

EXHIBIT 34

Ernster Law Offices

A Professional Corporation

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March 2, 2009

Ms. Christine Kim
eBay, Inc.

Re: **Commission Junction, Inc. vs. Thunderwood Holdings, Inc.**
O.C.S.C. Case No. 30-2008 00101025

Dear Ms. Kim:

This letter is to accompany the civil subpoena that has just been served on you. The subpoena demands your presence at the trial of *Commission Junction vs. Thunderwood Holding, et al.* at the Orange County Superior Court on the first day of trial, March 9, 2009.

It is not our intention to inconvenience you in causing this subpoena to be served on you. It is a formality we must follow to ensure your availability. While the subpoena demands your attendance on the first day of trial, it is our practice to attempt to work out arrangements which are both more practical and more convenient for you. If you will agree to appear as necessary, following telephone notice from our office 24 hours prior to the time your appearance and testimony will actually be needed, it will not be necessary for you to appear at the court on the first day of trial.


I understand that it can be somewhat unsettling to be served with a subpoena requiring your appearance at court. However, it does provide you and your employer with proper notification that the trial is expected to proceed on a certain date, and that you will be called as a witness in that trial by counsel for the Plaintiffs. If you have questions about the testimony you will be asked to give, I encourage you to call Phil J. Montoya, Jr., at your convenience, and he can explain the procedure, the testimony and answer any other questions you may have.

At the bottom of this letter is a simple form with a space for your signature, which indicates that you are willing to appear to testify at the trial of *Commission Junction vs. Thunderwood Holdings, et al.* following 24 hour telephone notice from our office. If you agree to appear in this fashion, I would request that you sign in the space indicated and return this letter to me.

Ms. Christine Kim
eBay, Inc.
March 2, 2009

Again, if you have any questions concerning the above, please feel to call me or Mr. Phil J. Montoya, Jr. We look forward to hearing from you.

Sincerely,




Marthe Kaladjan,
Paralegal

:mk

cc: Phil J. Montoya, Jr., Esq.

I agree to appear to testify at the trial of the matter of *Commission Junction vs. Thunderwood Holding, et al.* following 24 hour telephone notice from Ernster Law Offices.



Christine Kim [signature]

Christine Kim
Print name

Home telephone: _____

Work telephone: 408.376.5901

Cell telephone: _____